

NEWS RELEASE



***OFFICE OF THE UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF CALIFORNIA
San Diego, California***

***United States Attorney
Carol C. Lam***

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For Immediate Release

NEWS RELEASE SUMMARY - December 19, 2005

United States Attorney Carol C. Lam announced that Stanley Fitzgerald was sentenced today in U.S. District Court in San Diego by United States District Judge Thomas J. Whelan to serve eight months in custody, followed by seven months of home detention, based on Fitzgerald's conviction for mail fraud related to the sale of counterfeit sports and celebrity memorabilia. Judge Whelan also ordered the defendant to pay a \$3,000 fine, and to make restitution of approximately \$100,000 to the victims of the offense that have been identified.

In connection with his guilty plea, Fitzgerald acknowledged that he, along with his wife (Donna Fitzgerald) and mother (Josephine Fitzgerald), operated businesses under the names "Stan's Sports Memorabilia," and "Stan the Man Sports Memorabilia," through which they sold counterfeit sports and celebrity memorabilia by mail order and by way of internet auctions. In his plea, Stan Fitzgerald specifically acknowledged that between November 1995 and October 1999, he, together with his wife and mother, sent the counterfeit sports and celebrity memorabilia to their customers through the mail or by private commercial interstate carrier. Stan Fitzgerald also admitted that he offered his customers Certificates of Authenticity,

even falsely attesting that the celebrities' signatures were original and genuine. Some of the Certificates of Authenticity falsely represented that an independent third party had evaluated the signatures and found them to be genuine. Stan Fitzgerald further admitted that during the period from November 1995 - October 1999, he sold counterfeit sports and celebrity memorabilia valued between \$2.5 million and \$7 million.

Donna Fitzgerald earlier pled guilty to tax evasion, and admitted she failed to file a federal income tax return for the tax year 1999, knowing that she owed a substantial amount of income tax to the United States from the sale of the memorabilia. Donna Fitzgerald specifically admitted that she failed to declare \$100,000 in income from the sale of the counterfeit memorabilia, which had been diverted to an account that she helped establish under the nominee name of "Autograph Memorabilia, Inc.," in order to evade the assessment and payment of her federal income taxes, resulting in the underpayment of taxes in the amount of \$43,722. Josephine Fitzgerald pleaded guilty to assisting in the preparation of a false tax return, and admitted that she was the bookkeeper for the counterfeit memorabilia business who provided the figures used on the corporate income tax return for the tax year 1997. Josephine Fitzgerald acknowledged that she provided figures for the cost of goods sold which inflated the cost actually paid for such goods by the corporation in the amount of \$140,000, resulting in the underpayment of taxes for that year in the amount of \$37,850.

On January 10, 2005, both Donna Fitzgerald and Josephine Fitzgerald were sentenced to terms of probation and each ordered to pay a \$1,000 fine. Judge Whelan also ordered the defendants to make restitution in the amount of \$19,326, to the victims identified at the time of defendants' sentencing.

All three Fitzgeralds forfeited their homes and a vacation property to the United States, and agreed to pay their outstanding corporate and personal tax liabilities.

DEFENDANTS

Criminal Case No. 04-CR-1070-W

Stanley Fitzgerald
Josephine Fitzgerald
Donna Fitzgerald

SUMMARY OF CHARGES

Stanley Fitzgerald

Conspiracy to Commit Mail Fraud, in violation of Title 18, United States Code,
Sections 371 and 1341

Maximum Penalty: 5 years in custody and/or \$250,000 fine

Josephine Fitzgerald

Assisting in the Preparation of A False Tax Return, in violation of
Title 26, United States Code, Section 7206

Maximum Penalty: 3 years in custody and/or \$100,000 fine

Donna Fitzgerald

Tax Evasion, in violation of Title 26, United States Code, Section 7201

Maximum Penalty: 5 years in custody and/or \$250,000 fine

AGENCIES

Federal Bureau of Investigation

Internal Revenue Service, Criminal Investigation Division